



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2021-0818; FRL-9264-02-R9]

Air Plan Approval; California; Northern Sierra Air Quality Management District;

Reasonably Available Control Technology

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Northern Sierra Air Quality Management District (NSAQMD or “District”) portion of the California State Implementation Plan (SIP). This revision concerns NSAQMD’s demonstration regarding reasonably available control technology (RACT) requirements and negative declarations for the 2015 8-hour ozone national ambient air quality standards (NAAQS or “standards”) in the Western Nevada County ozone nonattainment area, which is under the jurisdiction of the District.

DATES: This rule is effective [Insert date 30 days after date of publication in the *Federal Register*].

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2021-0818. All documents in the docket are listed on the <https://www.regulations.gov> web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with disabilities who

needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

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SUPPLEMENTARY INFORMATION: Throughout this document, “we,” “us” and “our” refer to the EPA.

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I. Proposed Action

On February 10, 2022 (87 FR 7779), the EPA proposed to approve the California Air Resources Board’s (CARB) March 23, 2021 submittal of the Northern Sierra Air Quality Management District (NSAQMD or “District”) Reasonable Available Control Technology (RACT) State Implementation Plan (SIP) for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) (“2015 ozone RACT SIP”).

TABLE 1 - SUBMITTED DOCUMENT

Local Agency	Document	Adopted	Submitted
NSAQMD	Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Revision for Western Nevada County 8-Hour Ozone Nonattainment Area	01/25/21	03/23/21

We proposed to approve this submittal because we determined that it complies with the relevant Clean Air Act (CAA or “Act”) requirements. Our proposed action contains more information on the submittal and our evaluation.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During this period, we received no comments.

III. EPA Action

No comments were submitted. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving the 2015 ozone RACT SIP into the California SIP.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the *Federal Register*. A major rule cannot take effect until 60 days after it is published in the *Federal Register*. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by **[insert date 60 days after date of publication in the *Federal Register*]**. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 20, 2022.

Kerry Drake,
Acting Regional Administrator,
Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(585) to read as follows:

§ 52.220 Identification of plan—in part.

(c) * * *

(585) The following plan was submitted on March 23, 2021, by the Governor's designee as an attachment to a letter dated March 22, 2021.

(i) [Reserved]

(ii) *Additional materials.* (A) Northern Sierra Air Quality Management District.

(1) Reasonably Available Control Technology (RACT) State Implementation Plan (SIP)

Revision for Western Nevada County 8-Hour Ozone Nonattainment Area, adopted on January 25, 2021.

(2) [Reserved]

(B) [Reserved]

3. Revise § 52.222(a)(9) to read as follows:

§ 52.222 Negative declarations.

(a) * * *

(9) Northern Sierra Air Quality Management District.

(i) The following negative declarations for the 1997 ozone NAAQS were adopted by the Northern Sierra Air Quality Management District.

Table 1 to Paragraph (a)(9)(i) - Negative Declarations for the 1997 Ozone NAAQS

CTG Document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
EPA-450/2-77-008	Surface Coating of Cans.			X
EPA-450/2-77-008	Surface Coating of Coils.			X
EPA-450/2-77-008	Surface Coating of Paper.			X
EPA-450/2-77-008	Surface Coating of Fabric.			X
EPA-450/2-77-008	Surface Coating of Automobiles and Light-Duty Trucks.			X
EPA-450/2-77-022	Solvent Metal Cleaning.			X
EPA-450/2-77-025	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.			X
EPA-450/2-77-026	Tank Truck Gasoline Loading Terminals.			X
EPA-450/2-77-032	Surface Coating of Metal Furniture.			X
EPA-450/2-77-033	Surface Coating of Insulation of Magnet Wire.			X
EPA-450/2-77-034	Surface Coating of Large Appliances.			X
EPA-450/2-78-029	Manufacture of Synthesized Pharmaceutical Products.			X
EPA-450/2-78-030	Manufacture of Pneumatic Rubber Tires.			X

CTG Document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
EPA-450/2-78-032	Factory Surface Coating of Flat Wood Paneling.			X
EPA-450/2-78-033	Graphic Arts-Rotogravure and Flexography.			X
EPA-450/2-78-036	Leaks from Petroleum Refinery Equipment.			X
EPA-450/2-78-047	Petroleum Liquid Storage in External Floating Roof Tanks.			X
EPA-450/3-82-009	Large Petroleum Dry Cleaners.			X
EPA-450/3-83-006	Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment.			X
EPA-450/3-83-007	Leaks from Natural Gas/Gasoline Processing Plants.			X
EPA-450/3-83-008	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.			X
EPA-450/3-84-015	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry.			X
EPA-450/4-91-031	Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing			X

CTG Document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
	Industry.			
EPA-453/R-96-007	Wood Furniture Manufacturing Operations.			X
EPA-453/R-94-032	ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities. Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i>			X
EPA-453/R-97-004	Coating Operations at Aerospace Manufacturing and Rework Operations. NESHAPS Aerospace Manufacturing and Rework, <i>see the Federal Register of 06/06/94.</i>			X
EPA-453/R-06-001	Industrial Cleaning Solvents.	X		
EPA-453/R-06-002	Offset Lithographic Printing and Letterpress Printing.	X		
EPA-453/R-06-003	Flexible Package Printing.	X		
EPA-453/R-06-004	Flat Wood Paneling Coatings.	X		
EPA 453/R-07-003	Paper, Film, and Foil Coatings.	X		

CTG Document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
EPA 453/R-07-004	Large Appliance Coatings.	X		
EPA 453/R-07-005	Metal Furniture Coatings.	X		
EPA 453/R-08-004	Fiberglass Boat Manufacturing Materials.		X	
EPA 453/R-08-005	Miscellaneous Industrial Adhesives.		X	
EPA 453/R-08-006	Automobile and Light-Duty Truck Assembly Coatings.		X	
— N/A —	Major non-CTG VOC sources.			X
— N/A —	Major non-CTG NO _x sources.			X

(ii) [Reserved]

(iii) [Reserved]

(iv) The following negative declarations for the 2008 ozone NAAQS were adopted by the Northern Sierra Air Quality Management District.

Table 1 to Paragraph (a)(9)(iv) - Negative Declarations for the 2008 Ozone NAAQS

CTG document No.	Title	Adopted: 03/26/2018 Submitted: 06/07/2018 SIP Approved: 01/15/2020
EPA-450/2-77-008	Surface Coating of Cans.	X

CTG document No.	Title	Adopted: 03/26/2018 Submitted: 06/07/2018 SIP Approved: 01/15/2020
EPA-450/2-77-008	Surface Coating of Coils.	X
EPA-450/2-77-008	Surface Coating of Paper.	X
EPA-450/2-77-008	Surface Coating of Fabric.	X
EPA-450/2-77-008	Surface Coating of Automobiles and Light-Duty Trucks.	X
EPA-450/2-77-022	Solvent Metal Cleaning.	X
EPA-450/2-77-025	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.	X
EPA-450/2-77-026	Tank Truck Gasoline Loading Terminals.	X
EPA-450/2-77-032	Surface Coating of Metal Furniture.	X
EPA-450/2-77-033	Surface Coating of Insulation of Magnet Wire.	X
EPA-450/2-77-034	Surface Coating of Large Appliances.	X
EPA-450/2-77-035	Bulk Gasoline Plants.	X
EPA-450/2-77-036	Storage of Petroleum Liquids in Fixed-Roof Tanks.	X
EPA-450/2-78-029	Manufacture of Synthesized Pharmaceutical Products.	X
EPA-450/2-78-030	Manufacture of Pneumatic Rubber Tires.	X
EPA-450/2-78-032	Factory Surface Coating of Flat Wood Paneling.	X
EPA-450/2-78-033	Graphic Arts-Rotogravure and Flexography.	X

CTG document No.	Title	<p>Adopted: 03/26/2018</p> <p>Submitted: 06/07/2018</p> <p>SIP Approved: 01/15/2020</p>
EPA-450/2-78-036	Leaks from Petroleum Refinery Equipment.	X
EPA-450/2-78-047	Petroleum Liquid Storage in External Floating Roof Tanks.	X
EPA-450/3-82-009	Large Petroleum Dry Cleaners.	X
EPA-450/3-83-006	Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment.	X
EPA-450/3-83-007	Leaks from Natural Gas/Gasoline Processing Plants.	X
EPA-450/3-83-008	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.	X
EPA-450/3-84-015	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry.	X
EPA-450/4-91-031	Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry.	X
EPA-453/R-96-007	Wood Furniture Manufacturing Operations.	X
EPA-453/R-94-032	<p>ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities.</p> <p>Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i></p>	X
EPA-453/R-97-004	<p>Coating Operations at Aerospace Manufacturing and Rework Operations.</p> <p>NESHAPS Aerospace Manufacturing</p>	X

CTG document No.	Title	Adopted: 03/26/2018 Submitted: 06/07/2018 SIP Approved: 01/15/2020
	and Rework, <i>see the Federal Register of 06/06/94.</i>	
EPA-453/R-06-001	Industrial Cleaning Solvents.	X
EPA-453/R-06-002	Offset Lithographic Printing and Letterpress Printing.	X
EPA-453/R-06-003	Flexible Package Printing.	X
EPA-453/R-06-004	Flat Wood Paneling Coatings.	X
EPA 453/R-07-003	Paper, Film, and Foil Coatings.	X
EPA 453/R-07-004	Large Appliance Coatings.	X
EPA 453/R-07-005	Metal Furniture Coatings.	X
EPA 453/R-08-003	Miscellaneous Metal Parts and Plastic Parts Coatings Tables 3-6.	X
EPA 453/R-08-004	Fiberglass Boat Manufacturing Materials.	X
EPA 453/R-08-005	Miscellaneous Industrial Adhesives.	X
EPA 453/R-08-006	Automobile and Light-Duty Truck Assembly Coatings.	X
EPA 453/B-16-001	Oil and Natural Gas Industry.	X
— N/A —	Major non-CTG VOC sources.	X
— N/A —	Major non-CTG NO _x sources.	X

(v) The following negative declarations for the 2015 ozone NAAQS were adopted by the Northern Sierra Air Quality Management District.

Table 1 to Paragraph (a)(9)(v) - Negative Declarations for the 2015 Ozone NAAQS

CTG Document No.	Title	<p>Adopted: 01/25/2021</p> <p>Submitted: 03/23/2021</p> <p>SIP-Approved: <u>[insert date of publication in the Federal Register]</u></p>
EPA-450/2-77-008	Surface Coating of Cans.	X
EPA-450/2-77-008	Surface Coating of Coils.	X
EPA-450/2-77-008	Surface Coating of Paper.	X
EPA-450/2-77-008	Surface Coating of Fabric.	X
EPA-450/2-77-008	Surface Coating of Automobiles and Light-Duty Trucks.	X
EPA-450/2-77-022	Solvent Metal Cleaning.	X
EPA-450/2-77-025	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.	X
EPA-450/2-77-026	Tank Truck Gasoline Loading Terminals.	X
EPA-450/2-77-032	Surface Coating of Metal Furniture.	X
EPA-450/2-77-033	Surface Coating for Insulation of Magnet Wire.	X
EPA-450/2-77-034	Surface Coating of Large Appliances.	X
EPA-450/2-77-035	Bulk Gasoline Plants.	X
EPA-450/2-77-036	Storage of Petroleum Liquids in Fixed-Roof Tanks.	X
EPA-450/2-78-015	Surface Coating of Miscellaneous Metal Parts and Products.	X
EPA-450/2-78-029	Manufacture of Synthesized Pharmaceutical Products.	X
EPA-450/2-78-030	Manufacture of Pneumatic Rubber Tires.	X
EPA-450/2-78-032	Factory Surface Coating of Flat Wood Paneling.	X
EPA-450/2-78-033	Graphic Arts-Rotogravure and Flexography.	X
EPA-450/2-78-036	Leaks from Petroleum Refinery Equipment.	X
EPA-450/2-78-047	Petroleum Liquid Storage in External Floating Roof Tanks.	X
EPA-450/3-82-009	Large Petroleum Dry Cleaners.	X

CTG Document No.	Title	<p>Adopted: 01/25/2021</p> <p>Submitted: 03/23/2021</p> <p>SIP-Approved: <u>[insert date of publication in the Federal Register]</u></p>
EPA-450/3-83-006	Leaks from Synthetic Organic Chemical and Polymer Manufacturing Equipment.	X
EPA-450/3-83-007	Equipment Leaks from Natural Gas/Gasoline Processing Plants.	X
EPA-450/3-83-008	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.	X
EPA-450/3-84-015	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry.	X
EPA-450/4-91-031	Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry.	X
EPA-453/R-96-007	Wood Furniture Manufacturing Operations.	X
EPA-453/R-94-032	<p>ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities.</p> <p>Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i></p>	X
EPA-453/R-97-004	<p>Coating Operations at Aerospace Manufacturing and Rework Operations.</p> <p>NESHAPS Aerospace Manufacturing and Rework, <i>see the Federal Register of 06/06/94.</i></p>	X
EPA-453/R-06-001	Industrial Cleaning Solvents.	X
EPA-453/R-06-002	Offset Lithographic Printing and Letterpress Printing.	X
EPA-453/R-06-003	Flexible Package Printing.	X
EPA-453/R-06-004	Flat Wood Paneling Coatings.	X
EPA 453/R-07-003	Paper, Film, and Foil Coatings.	X
EPA 453/R-07-004	Large Appliance Coatings.	X
EPA 453/R-07-005	Metal Furniture Coatings.	X

CTG Document No.	Title	Adopted: 01/25/2021 Submitted: 03/23/2021 SIP-Approved: <u>[insert date of publication in the Federal Register]</u>
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 2 – Metal Parts and Products.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 3 – Plastic Parts and Products.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 4 – Automotive/Transportation and Business Machine Plastic Parts.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 5 – Pleasure Craft Surface Coating.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 6 – Motor Vehicle Materials.	X
EPA 453/R-08-004	Fiberglass Boat Manufacturing Materials.	X
EPA 453/R-08-005	Miscellaneous Industrial Adhesives.	X
EPA 453/R-08-006	Automobile and Light-Duty Truck Assembly Coatings.	X
EPA 453/B-16-001	Oil and Natural Gas Industry.	X
— N/A —	Major non-CTG sources of VOC.	X
— N/A —	Major sources of NO _x .	X

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